

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>IN RE:</b>	)	
<b>William Henry Room, III</b>	)	<b>Case No. 19-30155</b>
<b>Debtor</b>	)	<b>Chapter 13</b>

**MOTION BY TRUSTEE TO CONVERT CASE  
FROM CHAPTER 13 TO CHAPTER 7**

COMES NOW, the Chapter 13 Trustee, by counsel, and pursuant to 11 U.S.C. 1307 (c) moves the Court to Convert this case from a Chapter 13 case to a case under Chapter 7 of the Bankruptcy Courts; and in support of the Trustee's Motion to Convert this Case states as follows:

1. The Debtor currently has a confirmed Chapter 13 case filed on January 10, 2019 and the 341 hearing was originally held on February 28<sup>th</sup>, 2019;
2. Carl M. Bates has been appointed the Chapter 13 Trustee in this case, and the 341 hearing has been conducted and completed; and the case has been confirmed;
3. Based upon evidence, on or about February 8, 2019 within 30 days of filing his petition the debtor was gifted (from his mother) land located at 322 Puddin Ridge Road, Moyock, NC , which has significant value and equity.
5. Upon belief and evidence, on or about February 18<sup>th</sup>, 2019, the Debtor transferred ownership of the real estate, from himself to James M. Jarvis, Jr. for an amount of \$70,000.00.
6. This gift of land to the debtor and the subsequent transfer of the land from debtor to Mr. Jarvis was not disclosed at the 341 hearing nor was it disclosed in amended schedules filed.
7. The debtor would need to pay this \$70,000.00 into the case under 11 USC 541, and 11 USC 1306, but the debtor did not pay those funds into the case, and does not have the funds nor feasibility to fund a plan to meet the requirements

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218-1819  
(804) 237-6800  
VSBN 34367

8. The circumstances of the case suggest that a conversion would be in the best interest of the creditors and the estate.

WHEREFORE, the Chapter 13 Trustee, by Counsel, hereby moves the Court to convert this Chapter 13 case to a Chapter 7 case.

Carl M. Bates  
By Counsel  
Susan H. Call

By: /s/ Susan H. Call  
Susan H. Call, VSB #34367  
Counsel for Trustee

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 2020, a copy of the foregoing Motion was electronically transmitted and/or mailed, first class mail, postage prepaid, to Debtor, William Romm, III, at 801 Forest Ave Henrico, VA 23229; to Christopher Flynn, by electronic notification at: [ecf@bolemanlaw.com](mailto:ecf@bolemanlaw.com), Counsel for the Debtor, and to all necessary parties in interest.

/s/ Susan H. Call  
Susan H. Call, VSB #34367

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Staff Counsel for  
Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218-1819  
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<b>IN RE:</b>	)	
<b>William Henry Room, III</b>	)	<b>Case No. 19-30155</b>
<b>Debtor</b>	)	<b>Chapter 13</b>

**NOTICE OF MOTION AND NOTICE OF HEARING**

The Chapter 13 Trustee has filed papers with the Court to request an Order be entered ordering that the above case be converted from a Chapter 13 to a Chapter 7 case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before seven (7) business days before the date of the hearing, you or your attorney must:

**File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.**

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call  
Counsel for Carl M. Bates  
Chapter 13 Trustee  
P. O. Box 1890  
Richmond, Virginia 23218-1780

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218-1819  
(804) 237-6800  
VSBN 34367

**Attend the Hearing scheduled to be held on June 3, 2020, at 11:30 A.M., at the U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, Virginia, 23219.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

s/ Susan H. Call

Susan H. Call, VSB #34367

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice was served by first-class mail, postage prepaid, May 4, 2020, to the Debtor, William Romm, III, at 801 Forest Ave Henrico, VA 23229; to Christopher Flynn, by electronic notification at: ecf@bolemanlaw.com, Counsel for the Debtor, and to all necessary parties in interest.

/s/ Susan H. Call

Susan H. Call, VSB #34367

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218-1819  
(804) 237-6800  
VSB# 34367

Label Matrix for local noticing  
0422-3  
Case 19-30155-KRH  
Eastern District of Virginia  
Richmond  
Mon May 4 11:30:42 EDT 2020

Ferguson Enterprises, Inc.  
c/o PAUL J. FEINMAN  
Petty, Livingston, Dawson & Richards  
P. O. Box 1080  
LYNCHBURG, VA 24505-1080

Gits Masonry, Inc.,  
2655 Rocky Oak Road  
Powhatan, VA 23139-7411

United States Bankruptcy Court  
701 East Broad Street  
Richmond, VA 23219-1888

Andrew M. Lohmann, Esq.  
Hirschler Fleischer  
2100 E. Cary St., 4th Floor  
Richmond, VA 23223-7270

(p)CAPITAL ONE  
PO BOX 30285  
SALT LAKE CITY UT 84130-0285

Citibank  
Attn: Bankruptcy Dept  
Post Office Box 6062  
Sioux Falls, SD 57117-6062

Corporate Creations Network  
6802 Paragon Place  
#410  
Richmond, VA 23230-1655

Costen Floors, Inc.  
PO Box 29468  
Henrico, VA 23242-0468

Credit One Bank  
Attn: Bankruptcy  
Po Box 98873  
Las Vegas, NV 89193-8873

Dankos, Gordon & Tucker, PC  
1360 East Parham Road  
Ste. 200  
Henrico, VA 23228-2366

David T. Spruill, Esq &  
Deana Hackworth, Esq  
120 Corporate Blvd  
Norfolk, VA 23502-4952

Derrick E. Rosser, P.C.  
211-A England Street  
Ashland, VA 23005-2086

Eppa Hunton, Esq  
Re: Massey Builder's Supply Co  
6720 Patterson Ave #D  
Richmond, VA 23226-3434

Ferguson Enterprises, Inc.  
12500 Jefferson Avenue  
Newport News, VA 23602-4314

(p)FIFTH THIRD BANK  
MD# ROPS05 BANKRUPTCY DEPT  
1850 EAST PARIS SE  
GRAND RAPIDS MI 49546-6253

Gits Msonry, Inc.  
Teddy J. Midkiff  
125 St Pauls Blvd, Suite 504  
Norfolk, VA 23510-2734

Inderpreet Singh & Saranjeet K  
c/o Jaclyn E. Murphy, Esq.  
10303 Memory Ln., St. 101  
Chesterfield, VA 23832-8816

Inderpreet Singh and Saranjeet Kaur  
c/o Todd M. Ritter  
PO Box 3570  
Chester, Virginia 23831-8481

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Jacques P. Gits  
2693 Rocky Oak Road  
Powhatan, VA 23139-7411

Jeanette Hu  
c/o William K. Grogan & Assoc  
203 East Cary Street, Ste. 200  
Richmond, VA 23219-3746

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Lafayette, Ayers & Whitlock  
10160 Staples Mill Rd  
Ste 105  
Glen Allen, VA 23060-3447

Lester C. Brock, Esq.  
Harman, Claytor, Corrigan  
4951 Lake Brook Drive  
Glen Allen, VA 23060-9279

Luck Stone Corporation  
PO Box 29682  
Henrico, VA 23242-0682

Massey Builder's Supply Corp  
2303 Dabney Road  
Richmond, VA 23230-2947

NA Partners in Anesthesia  
68 S. Service Road  
Suite 350  
Melville, NY 11747-2358

Pete Rose Inc  
9207 Old Staples Mill Rd  
Henrico, VA 23228-2009

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Portfolio Recovery Associates  
PO Box 41067  
Norfolk, VA 23541-1067

Riverside Brick & Supply Compa  
1200 Maury Street  
Richmond, VA 23224-3915

Riverside Brick & Supply Company, Inc.  
c/o Edward S. Whitlock, III, Esq.  
Lafayette, Ayers & Whitlock, PLC  
10160 Staples Mill Road, Suite 105  
Glen Allen, VA 23060-3447

Ryan F. Furgurson, Esq.  
William B. Cave & Associates  
2800 Buford Road, Suite 102  
Richmond, VA 23235-2453

S.B. Cox Ready Mix, Inc.  
901 Potomac Street PO Box 7737  
Henrico, VA 23231-0237

S.B. Cox Ready Mix, Inc.  
Cawthorn, Deskevich & Gavin, PC  
9701 Metropolitan Ct, Suite C  
Richmond, VA 23236-3694

Solodar & Solodar  
Re: Bankruptcy  
4825 Radford Ave., Suite 201  
Richmond, VA 23230-3532

Superior Walls of Central VA  
10101 Superior Way  
Amelia Court House, VA 23002-4744

Superior Walls of Central VA  
Ronald Page, PCL  
PO Box 73087  
N. Chesterfield, VA 23235-8025

U.S. Bank NA dba Elan Financial Services  
Bankruptcy Department  
PO Box 108  
St. Louis MO 63166-0108

US Attorney  
Suntrust Building  
919 East Main Street, Suite 1900  
Richmond, VA 23219-4622

Urbanna Builders Supply Co.  
146 General Puller Hwy  
Saluda, VA 23149-0000

Urbanna Builders' Supply Co., LLC  
c/o M. Richard Epps, P.C.  
605 Lynnhaven Parkway, Suite 200  
Virginia Beach, VA 23452-7484

Verizon  
500 Technology Drive  
Suite 550  
Saint Charles, MO 63304-2225

Virginia Dept of Taxation  
P.O. Box 2156  
Richmond, VA 23218-2156

Wells Fargo Bank, N.A.  
Attn: Default Document Processing  
MAC# N9286-01Y, 1000 Blue Gentian R  
Eagan, MN 55121-7700

Wells Fargo Home Mortgage  
3480 Stateview Blvd  
Fort Mill, SC 29715-7203

Carl M. Bates  
341 Dial 866-813-0912 Code: 8576180  
P. O. Box 1819  
Richmond, VA 23218-1819

Christopher John Flynn  
Boleman Law Firm  
PO Box 11588  
Richmond, VA 23230-1588

John P. Fitzgerald, III  
Office of the US Trustee - Region 4 -R  
701 E. Broad Street, Ste. 4304  
Richmond, VA 23219-1849

Laura Taylor Alridge  
Boleman Law Firm, P.C.  
P.O. Box 11588  
Richmond, VA 23230-1588

Stephen F. Relyea  
Boleman Law Firm, P.C.  
PO Box 11588  
Richmond, VA 23230-1588

Veronica D. Brown-Moseley  
Boleman Law Firm, P.C.  
PO Box 11588  
Richmond, VA 23230-1588

William Henry Romm III  
801 Forest Ave  
Henrico, VA 23229-6819

Capital One Bank USA  
 PO Box 85015  
 Richmond, VA 23285-0000

Fifth Third Bank  
 38 Fountain Square Plz  
 Cincinnati, OH 45263-0000

Internal Revenue Service  
 400 N. 8th St., Box 76  
 Stop Room 898  
 Richmond, VA 23219-0000

(d) Internal Revenue Service  
 Proceedings & Insolvencies  
 P.O. Box 21126  
 Philadelphia, PA 19114-0326

Portfolio Recovery Associates, LLC  
 POB 41067  
 Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Superior Walls of Central Virginia, Inc.

(u) WELLS FARGO BANK, N.A.

(d) Ferguson Enterprises, Inc.  
 c/o Paul J. Feinman  
 PETTY, LIVINGSTON, DAWSON & RICHARDS  
 P. O. Box 1080  
 Lynchburg, VA 24505-1080

(d) Gits Masonry, Inc.  
 2655 Rocky Oak Road  
 Powhatan, VA 23139-7411

(d) Internal Revenue Service  
 PO Box 7346  
 Philadelphia, PA 19101-7346

(d) Internal Revenue Service  
 PO Box 7346  
 Philadelphia, PA 19101-7346

End of Label Matrix

Mailable recipients	54
Bypassed recipients	6
Total	60